

NOTICE OF INTENT TO ACT UPON A REGULATION

Notice of Hearing for the Adoption and Amendment of Regulations of the Board of Examiners for Social Workers

The Board of Examiners for Social Workers will hold a public hearing at 9:00 am on April 9, 2004, at the Grant Sawyer State Office Building, Room 4401, 555 E. Washington Boulevard, Las Vegas, Nevada. There will be a simultaneous videoconference conducted at the Legislative Building Room 3137, 401 S. Carson Street, Carson City, Nevada where some members of the Board may be attending the meeting and other persons may observe the meeting and provide testimony. The purpose of the hearing is to receive comments from all interested persons regarding the adoption and amendment of regulations that pertain to Chapter 641B of the Nevada Administrative Code.

The following information is provided pursuant to the requirements of NRS 233B.0603

The proposed regulations are needed to expand the regulations relating to reciprocity applications for licensure for persons who received their social work experience prior to 1990, to further define "unprofessional conduct" and to adopt regulations in response to legislation passed in 2003 regarding background checks for applicants of a social work license. The purpose of the proposed regulations is to address these needs.

Terms or substance of the proposed regulation or a description of the subjects and issues involved:

1. Amend NAC 641B.150(4)(g) (Clinical Reciprocity Applications) to give the Board the ability to grant a waiver of subparagraphs 1-6 inclusive of Paragraph (e) of Section (4) of NAC 641B.150 to an applicant who has completed their social work experience prior to 1990 and who holds a current, equivalent license in another state if the Board determines that there is good cause to do so and the applicant's experience is substantially equivalent to this Board's licensing requirements.
2. Add new section to require each person who applies for initial licensure to submit two sets of his fingerprints on separate standard fingerprint cards with his application, pay any associated costs regarding his fingerprints, and agree to a background investigation.
3. Amend NAC 641B.200 (Standards of Practice) to add a subsection prohibiting a licensee from ordering or knowingly allowing an intern or a person under his supervision to perform illegal or unethical acts.
4. Amend NAC 641B.200 (Standards of Practice) to add a subsection prohibiting a licensee from obstructing an investigation by the Board.
5. Amend NAC 641B.200(10) (Standards of Practice) to clarify that a licensee shall not assume duties and responsibilities within the practice of social work if he cannot perform the services competently unless the licensee has prepared a reasonable written plan to acquire the necessary competency which must be provided to the Board upon request.

The estimated economic effect of the proposed regulation on the business that it is to regulate and on the public.

- A. Adverse effect: The applicant for licensure will be required to pay approximate fees of \$50.00 for a background check. There is no known adverse effective to the public.
- B. Beneficial effect: Short and long term effect will be to protect the public health and safety by ensuring that social workers meet the minimum standards for licensure and continued practice.
- C. Short term effect: See A and B
- D. Long term effect: See A and B

There is no additional cost to the agency for enforcement of this regulation.

The Board is aware of no other state or government agency regulations that the proposed amendments duplicate.

The regulation does not increase existing fees or establish any new fees payable to the Board. The applicant for licensure will be required to pay for his background check.

Persons wishing to comment upon the proposed action of the Board of Examiners for Social Workers may appear at the scheduled public hearing or may address their comments, data, views or arguments, in written form to the Board of Examiners for Social Workers, 4600 Kietzke Lane, #C121, Reno, NV 89502. Written submissions must be received by the Board of Examiners for Social Workers on or before April 2, 2004. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Board of Examiners for Social Workers may proceed immediately to act upon any written submissions.

A copy of this notice and the regulations to be adopted will be on file at the State Library, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the regulations to be adopted will be available at Board of Examiners for Social Workers, 4600 Kietzke Lane, C121, Reno, NV 89502, on the Board's web page www.socwork.gov.nv and in all counties in which an office of the agency is not maintained, at the main public library, for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulation are also available in the State of Nevada register of Administrative Regulations that is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653, and on the Internet at <http://www.leg.state.nv.us>. Copies of this notice and the proposed regulation will also be mailed to members of the public upon request.

Upon adoption on any regulation, the agency, if requested to do so by an interested person, both before adoption or within 30 days thereafter, will issue a concise statement of the principal reasons for and against its adoption, and incorporate therein its reason for overruling the consideration urged against its adoption.

This notice has been posted at the office of the Board of Examiners for Social Workers, on the Board's web page www.socwork.gov.nv and the following locations:

Washoe County Social Services, 1001 East Ninth Street, Reno, NV 89512
Clark County Social Services, 1600 Pinto Lane, Las Vegas, NV 89106
University of Nevada, Reno, School of Social Work (090), Reno, NV 89557
University of Nevada, Las Vegas, School of Social Work, 4505 Maryland Parkway, Las Vegas, NV 89154

This notice is on file at the following county libraries:

Carson City Library, 900 N. Roop Street, Carson City, NV 89701
Churchill County Library, 553 South Maine Street, Fallon, Nevada 89406
Las Vegas Library, 833 Las Vegas Boulevard North, Las Vegas, NV 89101
Douglas County Library, Post Office Box 337, 1625 Library Lane, Minden, NV 89423
Elko County Library, 720 Court Street, Elko, Nevada 89801
Goldfield Public Library, Post Office Box 430, Fourth and Crook Street, Goldfield, NV 89013
Eureka Branch Library, Post Office Box 293, 10190 Monroe Street, Eureka, NV 89316
Humboldt County Library, 85 East 5th Street, Winnemucca, NV 89445
Lincoln County Library, Post Office Box 330, 93 Main Street, Pioche, NV 89043
Lyon County Library, 20 Nevin Way, Yerington, NV 89447
Mineral County Library, Post Office Box 1390, First & A Street, Hawthorne, NV 89415
Tonopah Public Library, Post Office Box 449, 171 Central Street, Tonopah, NV 89049
Pershing County Library, Post Office Box 781, 1125 Central Avenue, Lovelock, NV 89419
Storey County Library, Post Office Box 14, 95 South R Street, Virginia City, NV 89440
White Pine County Library, 950 Campton Street, Ely, NV 89301
Battle Mountain Branch Library, Post Box 141, Battle Mountain, NV 89820